

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

TYSON ALLRED,

Defendant.

MEMORANDUM DECISION AND
ORDER DENYING DEFENDANT'S
MOTION TO AMEND JUDGMENT

Case No. 2:08-CR-148 TS

This matter is before the Court on Defendant's Motion to Amend Judgment.¹ Through his Motion, Defendant requests this Court amend its Amended Judgment in this matter to reflect credit for time served.

The Court will construe Defendant's Motion as an effort to correct what Defendant perceives as a clerical error under Federal Rule of Criminal Procedure 36. Pursuant to Rule 36, this Court may "at any time correct a clerical error in a judgment, order, or other part of the record, or correct an error in the record arising from oversight or omission."

¹Docket No. 50.


Defendant asserts that in the revocation of supervised release and sentencing hearing held in this matter on February 27, 2012, the Court ordered credit for time served. Subsequently, credit for time served was not included in the Amended Judgment entered by the Court on February 29, 2012.² After review of the transcript for the February 27, 2012 hearing, the Court finds that it did not order credit for time served. The Court therefore finds that there is no error in the Amended Judgment. For this reason, the Court will deny Defendant's Motion.

It is therefore

ORDERED that Defendant's Motion to Amend Judgment (Docket No. 50) is DENIED.

DATED April 4, 2012.

BY THE COURT:



TED STEWART
United States District Judge

²See Docket No. 49.